



**Request for City Council Committee Action  
From the Department of Community Planning and Economic  
Development**

**Date:** January 29, 2013

**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

**Subject:** **Comments to the Federal Aviation (FAA) Administration on the draft Finding of No Significant Impact/Record of Decision (FONSI/ROD) for the proposed 2020 Improvement Project at the Minneapolis-St. Paul International Airport (MSP)**

**Recommendation:**

Approve the City's comments on the draft FONSI/ROD and direct CPED to submit the comments to the FAA.

**Previous Directives:** On October 5, 2012 the City Council approved submittal of the City's comment letter on the MSP 2020 Draft Environmental Assessment/Environmental Assessment Worksheet.

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**Approved by:** Jack Byers, Ph.D., AICP, Planning Manager

**Presenters:** Paul Mogush, AICP, Principal City Planner 673-2074

**Reviews:**

Permanent Review Committee (PRC):	Not Applicable
Civil Rights Affirmative Action Plan:	Not Applicable
Policy Review Group (PRG):	Not Applicable

**Financial Impact:** Action is within current department budget

**Community Impact:**

Neighborhood Notification:

The Metropolitan Airports Commission (MAC) held two open houses and a public hearing during the public comment period for the Environmental Assessment in the fall of 2012.

City Goals:

Livable Communities, Healthy Lives

Comprehensive Plan:

Policy 2.11: Minneapolis recognizes the economic value of Minneapolis-St. Paul International Airport and encourages its healthy competition to reach global markets in an environmentally responsible manner.

Policy 6.12: Minneapolis recognizes the economic value of the Minneapolis-St. Paul (MSP) International Airport but will advocate for measures to reduce its noise impacts.

Zoning Code: N/A

### **Background/Supporting Information**

In 2010 the Metropolitan Airports Commission (MAC) approved an update to its Long Term Comprehensive Plan, identifying facility improvements needed to meet airport demand through 2030. The plan outlines four phases of potential improvements to be implemented in five-year increments. On August 30, 2012, the MAC released a draft Environmental Assessment (EA) addressing the environmental effects of the first two phases of these improvements, through 2020.

The EA process is governed by both the National Environmental Policy Act (NEPA) and the Minnesota Environmental Policy Act, and is guided by the Federal Aviation Administration's (FAA) policies and procedures for considering environmental impacts: FAA Order 5050.4B, "National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions" and FAA Order 1050.1E, "Environmental Impacts, Policies and Procedures."

The City of Minneapolis submitted a letter commenting on the draft Environmental Assessment on October 5. The following summarizes the City's comments:

- The provision of any new noise mitigation should be based on an assessment of measured conditions by geography rather than the total number of operations at the airport, and annual measurements should be tied to a clearly-defined mitigation strategy that is approved by the surrounding communities.
- The MAC should fund an independent noise study, which will aid in developing a more effective metric for making policy decisions about the future of the airport.
- The MAC should take on a leadership role with the communities and the FAA on identifying and implementing a new methodology and metric for measuring the impact of aviation noise.
- The FAA, MAC, and airlines should take steps to improve the use of preferred runways under the Runway Use System (RUS) and reduce time that runways are not able to be used for departures due to volume of flights.
- The MAC should join us in advocating for a statewide aviation strategy that results in more commercial airline service at airports with unused capacity.
- The environmental review of Performance-based Navigation (PBN) procedures should be conducted in a timely manner, and include a geographic area large enough to fully understand whether and how noise will shift from one area to another.
- An Environmental Impact Statement should be conducted taking into account the cumulative effects of future airport actions including a full build-out of the Long-Term Comprehensive Plan and the implementation of PBN procedures.
- The MAC should conduct additional air pollution modeling as well as a cumulative health risk impact study.

On January 7, 2013, the MAC released the Final MSP 2020 Improvements Environmental Assessment/Environmental Assessment Worksheet, and the FAA issued a draft Finding of No Significant Impact/Record of Decision (FONSI/ROD). The FAA is taking comments on the Final EA and draft FONSI/ROD through February 8, 2013. The MAC has not yet made a determination on the state Environmental Assessment Worksheet.

The attached letter from the City of Minneapolis to the FAA serves as the City's comments on the Final Environmental Assessment and the draft Finding of No Significant Impact/Record of

Decision. The letter communicates the City's support for MAC's change in approach to noise mitigation and calls on the FAA to support the MAC's mitigation efforts. The letter also reiterates a number of points from the City's October 2012 comment letter on the draft EA that were not addressed in the Final EA.

The most significant change in the Final EA is a new proposal from the MAC for providing additional noise mitigation to homes in Minneapolis as the projected number of flights and noise levels increase in the coming years. The draft EA proposed to provide mitigation out to the 60 DNL line, the locally-adopted standard, but in a way that would not have guaranteed that homes experiencing increased noise would receive mitigation. The MAC had proposed to provide additional mitigation based on the projected noise area included in the EA when the number of annual flights surpasses 484,879 or the year 2020, whichever comes first. That meant that mitigation would be provided based on a map that is up to eight years old and would not necessarily reflect where the noise is actually taking place at the time. The City's comment letter on the draft EA requested that the provision of any new noise mitigation be based on an assessment of measured conditions by geography rather than the total number of operations at the airport.

The MAC responded to the City's request by modifying the noise mitigation proposal in the final EA. The MAC now plans to base eligibility for new noise mitigation on annually-produced noise exposure maps. Homes that are newly within the 60 DNL noise contour for three consecutive years will receive noise mitigation in the fourth year. Also, homes that were already within the 60 DNL and move up to a higher noise level relative to the Consent Decree noise mitigation program for three consecutive years will receive additional mitigation in the fourth year. This program will continue through 2023, with mitigation happening that year for homes that first moved into a higher noise category in 2020.

The attached comment letter to the FAA expresses the City's support for this general approach to a noise mitigation program. However, the FAA's draft FONSI/ROD does not require a commitment from MAC to follow through with mitigation. In fact, the FAA calls into question the use of airport revenue to fund additional mitigation. The City's comment letter calls on the FAA to support the MAC in its ongoing noise mitigation efforts.

No other changes in the Final EA directly address the City's concerns outlined in the October 5 comment letter. The MAC responded to all public comments, including the City's, in an appendix to the Final EA. That response is attached to this report. The MAC did not respond to the City's request for an independent noise study, nor did it respond to the City's request for a cumulative health risk impact study.

The City's comment letter reiterates support for conducting an Environmental Impact Study that includes consideration of the full build-out of projects included in the airport's Long Term Comprehensive Plan. The City's position was also that environmental review should include the anticipated Performance Based Navigation (PBN) procedures. That issue is off the table for the time being, given the MAC's action in November 2012 to support only those PBN procedures that affect communities south of the airport.

With approval of the City Council, the attached letter will be submitted to the FAA as the City's comments on the draft Finding of No Significant Impact/Record of Decision for the proposed 2020 Improvement Project at the Minneapolis-St. Paul International Airport prior to the close of the comment period on February 8.

### **Recommended Action**

Approve the City's comments on the draft Finding of No Significant Impact/Record of Decision for the proposed 2020 Improvement Project at the Minneapolis-St. Paul International Airport.

**Attachments**

- Comment Letter to the FAA
- MAC response to City of Minneapolis Comments on the Draft Environmental Assessment
- Draft Finding of No Significant Impact/Record of Decision